IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4951 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4952 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4953 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4954 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4955 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4956 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4957 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4958 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4959 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 4960 OF 2005

M/s. SPL Technochem Ltd. & ors ...Applicants

Versus

M/s. Traxpo Enterprises
Pvt. Ltd. & Ors ...Respondents

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Mr. M.M. Vashi, Advocate for Applicants.
Mr. Rajesh More, APP. in Appln. 4951 and 4159/05.
Mr. Y.S. Shinde, APP. in application 4952/05.
Mr. S.S. Pednekar, APP. in Appln 4953/ 05.
Mr. S.R. Shinde, APP, in Appln. 4954/05.
Mr. D.P. Adsule, APP, in Appln. 4955/05.
Mr. V.B. KOnde Deshmukh APP in Appln.4956/05.
Mr. M.S. Mhambray, APP in Appln.4957/05.
Ms. S.V. Gajare, APP in Appln.4958/05.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 11TH AUGUST, 2005

P. C.:-

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants have prayed for quashing of process issued against them in Criminal Case Nos.925/SS/2004, 926/SS/2004, 927/SS/2004, 928/SS/2004, 929/SS/2004, 2808/SS/2004, 2809/SS/2004, 2810/SS/2004, 753/SS/2004 and 754/SS/2004 which are pending in the Court of learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai. In the said case, process has been issued against the applicants under Section 138 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in Criminal Application No.550 of 2005, the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my opinion, it would be appropriate that the applicants prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision would be preferred within a period of four weeks from today. In view of this statement,

the trial Court shall not proceed with the trial for a period of four weeks from today.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Applications are disposed of.

7. Office to issue an authenticated copy of this order to the parties.

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